

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WEISS LAW, P.C.,
Plaintiff,

v.

AWRISH BUILDERS, et al.,
Defendants.

Case No. [19-cv-02258-SI](#)

**ORDER IN ANTICIPATION OF THE
DECEMBER 6, 2019 HEARING**

The Court has reviewed the parties' papers in anticipation of the December 6, 2019 hearing on defendants' motion to stay pending arbitration. Before the Court can address the motion to stay, or contemplate compelling arbitration, the following threshold matters must be addressed:

1. Plaintiff contends attorney Donald Walker does not represent defendants. Dkt. No. 36 n. 4 (Opposition to Motion to Stay); Dkt. No. 31 (6/20/19 Status Report). **Mr. Walker shall submit proof of representation of Awrish Builders and the individual defendants to the Court on or before November 22, 2019, including, but not limited to, a declaration from defendants confirming Mr. Walker has authority to represent them.** At the December 6, 2019 hearing, Mr. Walker should also be prepared to discuss his role in the settlement entered into by Awrish Builders and the USCAE on August 25, 2019.

2. Defendants' motion to stay is premised on a fee agreement (Dkt. No. 26-1 at 4-7 (Affidavit of Aman Khan)) which plaintiff contends is forged (Dkt. No. 42 at 5 (7/11/19 CMC Statement)). Plaintiff's complaint states, "In or about October of 2016, Plaintiff and Awrish entered into a written

1 retainer agreement ('Agreement'). The Agreement was signed by Awrish vice president Rahim."
2 Dkt. No. 1 ¶ 8 (Complaint). But plaintiff has never filed the purportedly "true" fee agreement.
3 **Plaintiff shall file the fee agreement it contends is the real fee agreement between plaintiff and**
4 **Awrish Builders with the Court on or before November 22, 2019.**

5 3. Defendants state Mogeel Weiss was the principal attorney at Weiss Law negotiating a
6 settlement for them with the USCAE through November of 2018. Dkt. No. 26 at 5 (Motion to Stay).
7 Defendants also state Mr. Weiss completed legal work for them, namely, working on the settlement
8 agreement, after July 31, 2018. *Id.* **The parties shall provide further information on Mr. Weiss's**
9 **involvement and representation of defendants from August 1, 2018 onward on or before**
10 **November 22, 2019** and be prepared to discuss the same at the December 6, 2019 hearing.

11 4. **Counsel for the parties shall appear in person for the December 6, 2019 hearing.**

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13 **IT IS SO ORDERED.**

14 Dated: November 15, 2019



SUSAN ILLSTON
United States District Judge